

“Fire Tax” FP-5 Questions and Answers October 2018

Submitted by Chuck Bell representing the Lucerne Valley Economic Development Association/LVEDA, with answers via email from Molly Wiltshire, Chief of Staff for 3rd District Supervisor James Ramos.

INTRO FROM CHUCK BELL: The County Fire Chief made compelling arguments for the proposed tax. Fire and paramedic services are critical services for all our communities. We greatly appreciate everyone’s dedication and willingness to put themselves in harm’s way.

This is about the process utilized to create the tax. It is rigged against us.
Questions/concerns/requests:

Q: Is it a LAFCO-approved program? If not – does it meet constitutional standards?

The fire district utilized the LAFCO protest process to measure support or opposition to the FP-5 expansion proposal.

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Q: We would appreciate a list of each community’s/area’s Fire budget deficits. Are certain areas with minor or no deficits proposed to be taxed to subsidize other regions (ie: an urban area within the proposed FP5 expansion)?

A: This information is available on our website at [www.sbcfire.org](http://www.sbcfire.org) <<http://www.sbcfire.org/>>, then click on the FP-5 “Get Details” link, where you will find the Fire Chiefs Powerpoint presentation that will provide the answer to your questions regarding the budget.

No, all FP-5 proceeds must be spent in the service zone in which they were generated.

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Q: The mailers resembled typical junk mail – likely many tossed thus no response – especially with the tremendous amount of absentee owners located throughout the nation and foreign countries.

A: During each community meeting the Fire Chief showed a copy of the mailer so that it would be familiar once received. “FP-Expansion” was noted on the front of the mailer.

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Q: Why is “no response” counted as a ‘yes’ vote? That’s likely to negate any chance for even a 25% (owner and assessed value) protest. Why didn’t the form include a box for “Yes”?

A: The process used was a protest process, that does not include provisions for a “yes” or “no” vote, but rather an opportunity to protest the FP-5 expansion proposal.

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Q: Many rural residents of unincorporated communities – some of which are designated by the State as “Severely Disadvantaged” don’t have computers to obtain the protest forms. Our organizations

have had to print copies to make them available to those who otherwise couldn't get them. Why weren't the protest forms included in the mailers? Intentionally left out to make it difficult to protest?

A: The protest forms could be obtained by those not having computer access by calling the fire district to request a form to be mailed to any address provided. The absence of the protest form in the mailer was not contrived, but was simply following the accepted protest process procedures.

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Q: If the tax is approved - we understand that vacant parcels 'contiguous' to a developed/residential parcel can be coalesced into a single unit for the Fire Tax assessment with a one-time \$108 fee via the Assessor's Office. Does that mean the entire unit of residential and contiguous vacant parcels combined just pay \$157? Does it also apply to contiguous, vacant-only parcels that do not include a residence?

A: Any contiguous parcels, improved or unimproved may be combined through the Assessor's Office process, for a one-time fee of \$108.00. This is for the purpose of the assessment only. There is a link on our website that will take you to the Assessor's Office form and procedure(s).

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Q: Most vacant parcels in the proposed District expansion are in low to mid fire hazard categories – with sparse vegetation that couldn't burn unless we poured gasoline on each bush. Until developed - they will require no service – not even paramedic unless it's a trespassing motorcyclist that crashes – not the owners fault. This is a disingenuous means to raise revenue with no benefit from the tax or nexus to it.

A: The assessment will provide parity across the district for all parcel owners to pay the same amount for fire, rescue and EMS services. Whether developed or undeveloped, the need for service on vacant or improved land cannot be anticipated whether the need for service be due to manmade or natural disaster.

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Q: No matter if multiple owners of a single parcel all file protests – said number of protests that might reach the 25% threshold would be trumped by only the assessed value of said parcel being counted towards the 25% threshold. Correct?

A: Correct. The two-pronged process is explained in detail on our website under the FP-5 link.

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Q: If it goes to a vote – would that be a vote by all parcel owners – or just registered voters within the expansion area?

A: All parcel owners would be eligible to vote.

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Q: Why are parcels in Newberry Springs, etc. along natural gas and water pipelines included in the tax when the area is exempt from FP5 since its CSD has fire powers?

A: The only parcels in Newberry Springs that are included in the FP-5 expansion are those that fall in the gray area of the interactive map that is provided on our website under the FP-5 link. The gray area indicates land within the fire district boundary.

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Q: The expansion area's major industrial/commercial/institutional businesses and establishments (with high assessed property values) will likely not protest in order not to get 'sideways' with the County. That leaves most of us with much lower assessed value that probably wouldn't reach the 25% level. As we said – this looks rigged against community residents already paying taxes.

We are certain everyone in the Department is trustworthy – however the public would suspect the validity of the in-house vote count especially if the 25% protest level was not reached. Why not have the County Registrar of Voters perform the count – or at least audit the Department's count?

A: The department is not handling any of the protest forms. The department did attempt to utilize the Registrar's Office to assist us with this process, however given the upcoming election, they were not able to support this request. Therefore, a third-party vendor has been hired to collect, tabulate, validate, and provide the Fire Board with the results of all envelopes/protest forms received.

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Q: The Fire Chief stated (with appreciated honesty) that with the tax in place most areas would not see fire service improvements – only continued maintenance of what they already have. Not even re-instating the fire station in Johnson Valley. We strongly request that the votes be tabulated by community or specific area so we will know how we voted. Just throwing all the votes into the county-wide pot and leaving us wondering will only produce more suspicion and anger.

A: This was not one of the objectives included in the contractual agreement with the third party vendor that has been hired to collect, validate and tabulate the protests received, therefore they are not being sorted in that manner.

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Q: If the tax is enacted – we request a public process at community levels to learn about and advocate how fire/paramedic services will either be maintained or improved with said new revenue.

A: Any requests for community meetings with your local Assistant Chief or with the Fire Chief can be made through your local district office or at the headquarters office in San Bernardino.

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Q: The proposed tax alone is more than the current property tax on many vacant, rural parcels – some owned over generations. Has the County projected the number of parcels it could likely 'inherit' due to non-payment of taxes – thus having to deal with their disposals and the reduced property tax revenue? Someone better do the math.

A: I am not aware if this has been considered under the FP-5 expansion process.